

CITY COUNCIL MINUTES
MARCH 23, 2006

The Round Rock City Council met in Work Session and Regular Session on Thursday, March 23, 2006 in the City Council Chamber, 221 E. Main Street.

CALL WORK SESSION TO ORDER - 6:00 P.M.

ROLL CALL: Those members present were Mayor Nyle Maxwell, Mayor Pro-tem Alan McGraw, Councilmember Rufus Honeycutt, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, Councilmember Scott Rhode and Councilmember Ted Williamson. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

PRESENTATIONS

3.A.1. Consider a presentation and discussion regarding Williamson County Emergency Medical Services. The Council discussed the Williamson County Emergency Medical Services at the Council retreat on February 22. Mayor Maxwell asked that the discussion continue at this work session due to time constraints in addressing the remaining items on the retreat agenda.

Fire Chief Larry Hodge made a presentation on the following points:

- History and timeline of events concerning EMS issues and recommendations.
- Citizen's Advisory Group was created to work with an outside consulting group Management Advisory Group, Inc. (MAG) of Montclair, Virginia concerning EMS.
- International Association of Fire Fighters report listing recommendations.
- MAG findings of EMS
- Williamson County EMS response data
- MAG EMS Recommendations

John Sneed, Director, Williamson County EMS, Emergency Management Coordinator provided the Council with a copy of the System Credentialing Process for Paramedics and Advanced Providers. He outlined the credentialing process, cost and timeline.

CALL REGULAR SESSION TO ORDER – 7:00 P.M.

PLEDGE OF ALLEGIANCE:

Mayor Maxwell led the Pledge of Allegiance.

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ROLL CALL: Those members present were Mayor Nyle Maxwell, Mayor Pro-tem Alan McGraw, Councilmember Rufus Honeycutt, Councilmember Joe Clifford, Councilmember Carlos T. Salinas, Councilmember Scott Rhode and Councilmember Ted Williamson. Also present were City Manager Jim Nuse and City Attorney Steve Sheets.

CITIZENS COMMUNICATIONS:

Beth Carlile, 2612 Sinclair Street spoke in support of the proposed fees for the Allen R. Baca Center.

PROCLAMATIONS:

8.A. Consider proclaiming April 5, 2006 as Allen R. Baca Day.

Mayor Maxwell read the following proclamation and presented it to Tanya Jackson, Senior Activities Supervisor. Ms. Jackson reported that the Grand Opening of the Allen R. Baca Center for Senior and Community Activities would be April 5, 2006 at 10:00 a.m. An Open House will be held from 5:00 p.m. to 7:00 p.m.

WHEREAS, Allen R. Baca worked in the Department of Community Affairs for the Texas Department on Aging and implemented many new programs to help senior citizens and senior centers; and

WHEREAS, Mr. Baca was one of several Round Rock senior citizens who recognized the need for a Senior Activity Center in the City of Round Rock and formed a group nicknamed the "Think Tank" to implement Round Rock's first official Senior Activity Center; and

WHEREAS, Mr. Baca's "Project Bootstrap" fundraising strategy was used to raise funds for the City of Round Rock Senior Center; and

WHEREAS, Mr. Baca organized and implemented Round Rock's first annual Daffodil Bulb Sale which led to the first Daffodil Festival; and

WHEREAS, Allen R. Baca was recognized as Senior Citizen of the Year 1994 in Round Rock and was awarded the Local Legend award from the Historic Preservation Commission in Round Rock and the National Daily Points of Light Award for his commitment to connect Americans through service,

NOW, THEREFORE, We, the Round Rock City Council recognize Allen R. Baca's many contributions to the City of Round Rock and the State of Texas and declare April 5, 2006 as Allen R. Baca Day in the City of Round Rock.

PROCLAIMED this 23rd day of March 2006.

8.B. Consider proclaiming April 1, 2006 as the 11th Annual Daffodil Festival Celebration.

Mayor Maxwell read the following proclamation and presented it to Alicia Carlile and members of the Round Rock Senior Citizens Foundation.

WHEREAS, due to the hard work of the Round Rock Senior Citizens Foundation the City of Round Rock is now considered the "Daffodil Capital of Texas"; and

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WHEREAS, the goal of the Round Rock Senior Citizens Foundation is to turn Round Rock into a sea of daffodils; and

WHEREAS, the daffodils will serve as a beacon to the Round Rock community and social environment for senior citizens; and

WHEREAS, every grassy spot in front of businesses, offices, and throughout the City will have daffodils welcoming spring and everyone to the 11th Annual Daffodil Festival; and

WHEREAS, the Daffodil Festival will have entertainment, games, shopping, foods, arts and crafts, an auction and raffle for everyone of all ages; and

WHEREAS, this year's Daffodil Festival is dedicated to Jimmy Joseph, Jr. who was a dedicated supporter of the Senior Center and member of the Senior Citizens Foundation.

NOW, THEREFORE, I, Nyle Maxwell, Mayor of the City of Round Rock, Texas, do hereby proclaim April 1, 2006 as the

"11th ANNUAL DAFFODIL FESTIVAL"

in the City of Round Rock and urge everyone to come out to the Allen R. Baca Center for Senior and Community Activities and join the Round Rock Senior Citizens Foundation in celebrating this joyful occasion.

PROCLAIMED this 23rd day of April 2006.

PRESENTATIONS:

9.A.1. Consider a presentation on the Transportation Capital Improvement Program annual report. Thomas G. Martin, P. E., Director of Transportation Services made the staff presentation. The TCIP is a three-year spending plan for improvements to major roads and arterials in the City. Funding for this plan is provided through the ½ cent sales tax established for the purpose of transportation system improvements. The TCIP annual report documents the accomplishments, activities, and potential changes in activities as it may relate to transportation system improvements. Mr. Martin outlined the Board Activities and Project Status.

9.B.1. Consider a presentation concerning setting fees for parks and recreation facilities.

Rick Atkins, Parks and Recreation Director made the staff presentation. He outlined the ordinance that establishes the fees for the Baca Center and the Rock 'n River Family Aquatic Center. He also outlined fee adjustments for the following:

- Municipal Pools
- Memberships at the Allen Baca Center and Clay Madsen Recreation Center
- Resident Fees
- Non-Resident Fees
- Softball/Baseball Field Rental Rates
- Youth Sports Association Facility Fees

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➤ Recreation Programs

PUBLIC HEARINGS:

10.A1. Consider public testimony regarding the proposed annexation of 30.05 acres of land out of the Joseph Marshall Survey. (Highland Terrace) (Second Public Hearing)

Jim Stendebach, Planning Director made the staff presentation. This tract of land is known as Highland Terrace and consists of 30.05 acres. It is located on the westside of Red Bud Lane, also known as CR 122. It is adjacent to single-family residential development on the west and north and a commercial planned unit development to the south. It is the city's desire to annex this tract in order to control the development and preserve the integrity of the surrounding existing residential neighborhoods.

Mayor Maxwell opened the public hearing. The following individuals expressed their support and/or concern regarding the annexation of this tract.

Ken Smith, 2010 Forest Hill Cove

Nancy Owens, 1828 Bluffwood Place

Ron Buffum, 3016 Rock Place

Joel Robuck, developer of Lake Forest Subdivision

Joe Jenkinson, Lot 10 of Highland Terrace

Ann Thomas 2006 Forest Hill Cove

Robert Bunnell, owns lots 4, 5, 6 in Highland Terrace

Matt Mariness, address unknown

There being no further testimony, the public hearing was closed.

Mayor Pro-tem McGraw asked staff for a copy of the deed restrictions. He wants to check if the deed restrictions for Highland Terrace are enforceable.

10.A.2. Consider public testimony regarding the proposed annexation of 69.557 acres of land out of the Willis Donaho Survey. (GCLC, Northpark at Old Settlers, Park Central Building and Preece Tract) (Second Public Hearing) Jim Stendebach, Planning Director made the staff

presentation. This tract of land is known as GCLC, Northpark @ Old Settlers, Park Central Building

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and the Preece tract. The tract totals 69.557 acres and is located on the south side of CR 113 (Kiphen Rd.) and east of the FM 1460. It is adjacent to single-family residential development to the south, known as the Meadows of Chandler Creek Municipal Utility District. It is the city's desire to annex this tract in order to control the development along this portion of CR 113 (Kiphen Rd.).

Mayor Maxwell opened the public hearing. There being no public testimony, the public hearing was closed.

10.A.3. Consider public testimony regarding the application filed by Quail Creek Cottages, LTD to amend the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 2.168 acres of land from a Multi-Family designation to Local Commercial (with conditions), Office or Senior Residential designation. Jim Stendebach, Planning Director made the staff presentation. This property is located near the intersection of two arterial roadways and is bordered by an assisted living/medical facility to the north and a park to the east. The property to the south will also be changing from a multifamily designation to day care, office or local commercial. The Land Use Plan for the Meadows of Chandler Creek was adopted in 1992. No changes to the land use designation for this tract have occurred since that time. The proposed change will be consistent with the adjacent existing and proposed land uses. The applicant has also agreed to prohibit gas stations on the site (a use that would ordinarily be allowed under the Local Commercial designation). The Planning and Zoning Commission recommended approval of the proposed changes (with the condition mentioned above) at their February 15, 2006, meeting. In addition, the owner of the property has agreed to the prohibition of the following uses, to be consistent with the other tracts (Item 10A4 and 10A5).

Amusement parks or carnivals, Automotive & machinery repair, Automotive & machinery services, Automotive & machinery washes, Automotive rental, Automotive sales, Billiard parlors & pool halls, (as a primary use), Boat sales, Bulk distribution centers, Camper sales, Campgrounds, Donation centers, Flea markets, Gasoline & fuel sales, Heavy equipment sales, rental & leasing, Industrial building sales, Kennels, Manufactured home sales, Mini warehouses, Pawn shops,

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Portable building sales, Recreational vehicle parks, Recycling centers, Sale of used goods (except antiques, estate sales, vintage clothing), Self-storage, Sexually oriented businesses, Shooting ranges, Tattoo parlors, Truck service or repair, Truck stops, Trucking terminals, Video arcades (as a primary use), Wholesale nurseries, Wireless Transmission Facility (self-standing), and Wrecking Yards.

Mayor Maxwell opened the public hearing. There being no public testimony, the public hearing was closed.

10.A.4. Consider public testimony regarding the application filed by Chandler Creek Investments, LTD to amend the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 9.375 acres of land from a Single-Family designation to Drainage, Local Commercial (with conditions), Office, Senior Residential or Funeral Home (with conditions) designation. Jim Stendebach, Planning Director made the staff presentation. This 9.375-acre parcel is proposed to be divided into two tracts. Tract A is a 5.170-acre drainage easement that will be designated as Drainage. The remaining 4.205 acres (Tract B) will be designated as Local Commercial, Office, Senior, or Funeral Home. Staff agreed with the applicant that the single-family designation is no longer appropriate at this location; but they have some concerns along with a number of residents in this area, about the over-commercialization of this intersection. To help allay those concerns, the applicant has agreed to a one-story height limitation on the commercial development and a prohibition on the following uses:

Amusement parks or carnivals, Automotive & machinery repair, Automotive & machinery services, Automotive & machinery washes, Automotive rental, Automotive sales, Billiard parlors & pool halls, (as a primary use), Boat sales, Bulk distribution centers, Camper sales, Campgrounds, Donation centers, Flea markets, Gasoline & fuel sales, Heavy equipment sales, rental & leasing, Industrial building sales, Kennels, Manufactured home sales, Mini warehouses, Pawn shops, Portable building sales, Recreational vehicle parks, Recycling centers, Sale of used goods (except antiques, estate sales, vintage clothing), Self-storage, Sexually oriented businesses, Shooting ranges, Tattoo parlors, Truck service or repair, Truck stops, Trucking

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terminals, Video arcades (as a primary use), Wholesale nurseries, Wireless Transmission Facility (self-standing), and Wrecking Yards.

The applicant has also agreed to limit the Funeral Home use to exclude crematoriums, in deference to the public input received at the January 11th Planning and Zoning Commission meeting. The Land Use Plan for the Meadows of Chandler Creek was adopted in 1992. No changes to the land use designation for this tract have occurred since that time. A request to amend the Land Use Plan for this tract was tabled at the January 11th Planning and Zoning Commission meeting to allow staff and the developer to negotiate limitations on the uses. The Planning and Zoning Commission then recommended approval of the proposed changes (with the conditions discussed above) at their February 15, 2006, meeting.

Mayor Maxwell opened the public hearing. There being no public testimony, the public hearing was closed.

10.A.5. Consider public testimony regarding the application filed by Chandler Creek Investments, LTD to amend the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 3.184 acres of land from a Multi-Family designation to Day Care (with conditions), Local Commercial (with conditions), or Office designation. Jim Stendebach, Planning Director made the staff presentation. This 3.184-acre tract is under contract with a day care provider. The applicant requested that the tract also have the additional designation of Local Commercial or Office uses. Staff, along with the neighbors who contacted staff expressed their support of the establishment of a day care at this location. However, because of the size of the proposed day care, the land use designation for the property staff had to include a provision exempting day cares from the size limitations that would normally apply to day cares in Local Commercial districts. (The normal limitation is 7,500 s.f.) The proposed day care may be more than twice that large. Even though staff was in favor of granting this size exception, staff recommended that the day care be limited to one story and that the outdoor play areas be located a minimum of 100 feet from the southern property line and include fencing on the south side to shield the adjacent residences from the noise. In the unlikely event that the property is

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not developed as a day care (or is redeveloped many years from now) staff recommended that any local commercial development be limited to one story and the following prohibited uses:

Amusement parks or carnivals, Automotive & machinery repair, Automotive & machinery services, Automotive & machinery washes, Automotive rental, Automotive sales, Billiard parlors & pool halls, (as a primary use), Boat sales, Bulk distribution centers, Camper sales, Campgrounds, Donation centers, Flea markets, Gasoline & fuel sales, Heavy equipment sales, rental & leasing, Industrial building sales, Kennels, Manufactured home sales, Mini warehouses, Pawn shops, Portable building sales, Recreational vehicle parks, Recycling centers, Sale of used goods (except antiques, estate sales, vintage clothing), Self-storage, Sexually oriented businesses, Shooting ranges, Tattoo parlors, Truck service or repair, Truck stops, Trucking terminals, Video arcades (as a primary use), Wholesale nurseries, Wireless Transmission Facility (self-standing), and Wrecking Yards.

The Land Use Plan for the Meadows of Chandler Creek was adopted in 1992. No changes to the land use designation for this tract have occurred since that time. The Planning and Zoning Commission recommended approval of the proposed changes (with the conditions discussed above) at their February 15, 2006, meeting.

Mayor Maxwell opened the public hearing.

Mr. Lewis, the developer, gave an overview of the proposed development.

CONSENT AGENDA:

The following items were considered routine by the City Council and were enacted by one motion. There was no separate discussion on any of these items and no items were pulled from the consent agenda.

*12.A. Consider approval of the City Council minutes for March 9, 2006.

*14.B.1. Consider a resolution authorizing the Mayor to execute Supplemental Agreement No. 4 to the Contract for Engineering Services with HDR Engineering, Inc. for the IH-35 Improvements Project (Chandler Road to Westinghouse).

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*14.D.2. Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 1 to the Contract for Engineering Services with Baker-Aicklen & Associates, Inc. for the Red Bud Lane Sidewalk Improvements Project, Phase I.

*14.E.4. Consider a resolution authorizing the Mayor to execute an Urban Forestry Partnership Grant Program Agreement with the Texas Forest Service to continue to fund an arborist position.

*14.F.1. Consider a resolution authorizing the City Manager to make the necessary grant application to the U.S. Department of Justice for a Bulletproof Vest Partnership Program Grant.

*14.G.1. Consider a resolution authorizing the Mayor to execute Supplemental Agreements No. 2 with DPC Industries, Inc., Bay Chemical & Supply Company, Ford Bend Services, Inc., and La Roche Industries for the purchase of water treatment chemicals.

MOTION: Councilmember Rhode moved to approve all the items listed in the consent agenda. Councilmember Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

*12.A. Consider approval of the City Council minutes for March 9, 2006.

This item was approved under the consent agenda.

ORDINANCES:

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13.A.1. Consider an ordinance amending the 2005-2006 Hotel Occupancy Tax Budget.

(First Reading) Cindy Demers, Finance Director made the staff presentation. The City of Round Rock is the primary host city for the TAAF (Texas Amateur Athletic Federation) Games of Texas for 2006 and 2007. This amendment allocates funding for consulting services for the Texas Amateur Athletic Federation (TAAF) Games of Texas – Williamson County (GOT-WIL). This revision is funded through additional hotel occupancy tax collections. The consulting services will provide project management and support services for coordination of the Games of Texas. It is expected that all or part of this expense will be reimbursed to the Hotel Occupancy Tax fund from proceeds of GOT-WIL at the end of the two-year period.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE 2005-2006 HOTEL OCCUPANCY TAX BUDGET.

MOTION: Councilmember Williamson moved to adopt the ordinance. Mayor Pro-tem McGraw seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None

ACTION: The motion carried unanimously.

13.B.1. Consider an ordinance adopting the 2005-2006 Ron Sproull Memorial fund

budget and closing the fund. (First Reading) Rick Atkins, Parks and Recreation Director made the staff presentation. The Ron Sproull Memorial Endowment was established by Harriet Sproull-McDaniels in honor of her husband, Ron Sproull, to assist the City's Parks and Recreation

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Department with maintaining and providing quality recreational amenities to the community.

\$100,000 was allocated to this fund and only the interest earned could be spent annually.

This ordinance establishes a budget and dissolves the Ron Sproull Memorial Endowment fund. Harriet Sproull-McDaniel provided approval to dissolve the fund and allocate the remaining funds to recreational projects for the City.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE RON SPROULL MEMORIAL FUND FOR THE 2005-2006 FISCAL YEAR AND CLOSING THE FUND.

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None

ACTION: The motion carried unanimously.

13.B.2. Consider an ordinance amending Chapter 1, Section 1.1700 of the Round Rock Code of Ordinances by setting fees for parks and recreation facilities. (First Reading) Rick Atkins, Parks and Recreation Director made the staff presentation. The fees for the Baca Center have not been set and the pool fees needed to be re-visited. An analysis of similar facilities determined the rates that were set. Mr. Atkins gave an overview of the proposed fees.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 1, SECTIONS 1.1703, 1.1706, AND 1.1707, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO INCREASE RECREATIONAL PROGRAM FEES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES.

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MOTION: Councilmember Honeycutt moved to adopt the ordinance. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Mayor Pro-tem McGraw
 Councilmember Clifford
 Councilmember Salinas
 Councilmember Rhode
 Councilmember Williamson
 Mayor Maxwell

 Nays: None

ACTION: The motion carried unanimously.

RESOLUTIONS:

14.A.1. Consider a resolution amending R-06-02-23-10D1, which called the May 13, 2006 City Election. This resolution amends the Election Order calling the May 13, 2006 City Election to elect Council, Place 3, Council, Place 5, and proposition for the sale of McNeil Park. The voting locations for Travis County were changed as follows:

- Precinct T-200 – St. Elizabeth Catholic Church – 1520 N. Railroad Avenue, Pflugerville
The individuals in this precinct reside within the city limits of Round Rock and the Pflugerville ISD. This will allow voters to cast their votes at one precinct instead of two.
- Precinct T-225 – Wells Branch MUD Recreation Center – 3000 Shoreline Drive, Austin
The individuals in this precinct reside within the city limits of Round Rock and Travis County. This will allow voters to cast their votes at one precinct instead of two.

In addition, this resolution will also approve the Williamson County Elections Administrator and the Travis County Clerk to participate in a joint election with the various entities that are also holding an election on May 13. The sharing of early voting and Election Day locations, ballots, election workers, supplies, and equipment will benefit the voters by reducing the number of

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different sites required to cast their votes when multiple elections are being conducted. The early voting schedule, which follows for this election, did not change.

Monday-Saturday	May 1-6, 2006	7:00 a.m. to 7:00 p.m.
Sunday	May 7, 2006	Noon to 6:00 p.m.
Monday – Tuesday	May 8-9, 2006	7:00 a.m. to 7:00 p.m.

RESOLUTION NO. _____

WHEREAS, on February 23, 2006, the City Council of Round Rock, Texas, adopted Resolution No. R-06-02-23-10D1, which ordered a city election for the 13th day of May, 2006; and

WHEREAS, said resolution ordered a city election for the purpose of electing Councilmember Place 3, Councilmember Place 5, and submitted to the voters a proposition for or against the sale of certain city-owned parkland known as Henry McNeil Park; and WHEREAS, said resolution designated election precincts and polling places for early and regular voting; and

WHEREAS, since the adoption of said resolution and order, the voting locations for the Travis County precincts changed; and

WHEREAS, the City Council approves the Williamson County Elections Administrator and Travis County Clerk to participate in a joint election with various entities for the purpose of sharing early voting and election day locations, ballots, election workers, supplies, and equipment for the benefit of the voters by reducing the number of different sites required for voters to cast their votes when multiple elections are being conducted in the same precincts, on the same uniform election day; Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS

That the Election Order adopted by the City Council in Resolution No. R-06-02-23-10D1 is in full force and effect, except for the early voting locations for Travis County Precinct T-200 and T-225, as reflected in the Amended Election Order attached hereto.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this resolution and the subject matter was discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

RESOLVED this 23rd day of March 2006.

MOTION: Councilmember Williamson moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson

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Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

*14.B.1. Consider a resolution authorizing the Mayor to execute Supplemental Agreement No. 4 to the Contract for Engineering Services with HDR Engineering, Inc. for the IH-35 Improvements Project (Chandler Road to Westinghouse). This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a Contract for Engineering Services ("Contract") with HDR Engineering, Inc. for IH-35 modifications from Chandler Road to Westinghouse Road, and

WHEREAS, HDR Engineering, Inc. has submitted Supplemental Contract No. 4 to the Contract to modify the provisions for the scope of services, and

WHEREAS, the City Council desires to enter into said Supplemental Contract No. 4 with HDR Engineering, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Contract No. 4 to the Contract with HDR Engineering, Inc., a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

14.B.2. Consider a resolution approving the action of the Round Rock Transportation System Development Corporation in amending the Transportation Capital Improvement Plan.

Tom Martin, P.E., Director of Transportation Services made the staff presentation.

The TCIP is a multi-year spending plan for improvements to major roads and arterials in the City. Funding for this plan is provided through the ½ cent sales tax established for the purpose of transportation system improvements. The TCIP is being amended for the following:

1. To provide additional funding for Arterial "A" in the amount of \$500,000. The funds are required for engineering service to design the US 79 and Union Pacific Railroad underpasses and miscellaneous roadway design. The project limits are Joe DiMaggio Boulevard to the Union Pacific Railroad.
2. To provide additional funding for A.W. Grimes Boulevard Phase 2 in the amount of \$2,200,000. The funds are required for engineering services, surveying, construction inspection, relocation of water, wastewater, drainage and dry utilities,

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demolition of existing structure, street lighting, drainage and construction contingency. The project limits are Lake Creek to US 79 at FM 1460.

3. To provide additional funding for IH 35 Area Modifications in the amount of \$2,000,000. The funds are required for additional engineering, Construction phase services, relocation of water and dry utilities, financial services, legal fees, construction of turn lanes for IKEA and entrance for McNeil Park and construction contingency. The project limits are Westinghouse Road to University Boulevard.
4. To provide additional funding for Traffic Signals in the amount of \$830,000. The funds are required for design and construction of traffic signals at FM 3406 and Wyoming Springs Drive, FM 3406 and Creek Bend Boulevard, FM 3406 and Chisholm Trail Road, Gattis School Road and Surrey Drive, Gattis School Road and South Creek Drive, Gattis School Road and Via Sonoma Trail and University Boulevard and Sunrise Road.

RESOLUTION NO. _____

WHEREAS, the Round Rock Transportation System Development Corporation ("RRTSDC") has previously adopted a Transportation Capital Improvement Plan ("Plan"), and

WHEREAS, the RRTSDC wishes to amend said Plan, and

WHEREAS, the bylaws of the RRTSDC require that said amendments to the Plan be approved by the City Council, and

WHEREAS, the City Council wishes to approve said amendments to the Plan, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the amendment to the Transportation Capital Improvement Plan approved by the Round Rock Transportation System Development Corporation, which is attached hereto as Exhibit "A", is hereby approved.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Mayor Pro-tem McGraw seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell

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Nays: None

ACTION: The motion carried unanimously.

14.B.3. Consider a resolution authorizing the City Manager to issue a Purchase Order to Spot Devices for three (3) Wireless Lighted Crosswalk Warning Systems for Dell Way and Greenlawn Boulevard. Thomas G. Martin, P.E., Transportation Services Director made the staff presentation. This purchase will be for materials for three (3) complete systems to be installed on Greenlawn Boulevard and Dell Way. Through discussions with Dell Computers, concerns were raised for the safety of the pedestrians crossing these roadways. Additionally, median crossings and pedestrian ramps will be adjusted for ADA compliance. The City accepted "Request for Proposals" (RFP) on March 7, 2006. During the processes of evaluating the proposals submitted, it was found that the product of one of the RFP, Spot Devices, has a battery system for its lights, which was not available from the other RFP. This particular aspect will save the City approximately \$45,000 dollars in maintenance and replacement costs. While it was the original intent of the City to review these proposals under a "Best Value" process, due to the differences between the two products and the financial advantages to the City, staff recommended acceptance of the proposal from Spot Devices as "Sole Source" procurement.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock wishes to purchase three wireless lighted crosswalk warning systems for Dell Way and Greenlawn Boulevard ("Systems"), and

WHEREAS, Spot Devices, Inc. has submitted a proposal to provide said Systems, and

WHEREAS, Spot Devices, Inc. is the only provider available to the City able to provide said Systems, and

WHEREAS, the Local Government Code, Section 252.022(a)(7) exempts expenditures for sole source providers from the competitive bidding requirements set forth in Local Government Code, Section 252.021, and

WHEREAS, the City wishes to accept the proposal of Spot Devices, Inc., Now Therefore
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the proposal of Spot Devices, Inc. is hereby accepted and the City Manager is hereby authorized and directed to issue a purchase order to Spot Devices, Inc. for the purchase of three wireless lighted crosswalk warning systems for Dell Way and Greenlawn Boulevard.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

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MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
 Mayor Pro-tem McGraw
 Councilmember Clifford
 Councilmember Salinas
 Councilmember Rhode
 Councilmember Williamson
 Mayor Maxwell
 Nays: None

ACTION: The motion carried unanimously.

14.C.1. Consider a resolution amending the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 2.168 acres of land to a designation of Local Commercial (with conditions), Office or Senior Residential. Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting. The Council concurred with the decision of staff and developer to include the following prohibited uses in the Land Use Plan. Amusement parks or carnivals, Automotive & machinery repair, Automotive & machinery services, Automotive & machinery washes, Automotive rental, Automotive sales, Billiard parlors & pool halls, (as a primary use), Boat sales, Bulk distribution centers, Camper sales, Campgrounds, Donation centers, Flea markets, Gasoline & fuel sales, Heavy equipment sales, rental & leasing, Industrial building sales, Kennels, Manufactured home sales, Mini warehouses, Pawn shops, Portable building sales, Recreational vehicle parks, Recycling centers, Sale of used goods (except antiques, estate sales, vintage clothing), Self-storage, Sexually oriented businesses, Shooting ranges, Tattoo parlors, Truck service or repair, Truck stops, Trucking terminals, Video arcades (as a primary use), Wholesale nurseries, Wireless Transmission Facility (self-standing), and Wrecking Yards.

RESOLUTION NO. _____

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WHEREAS, the City of Round Rock, ("City") has previously entered into an Agreement Concerning Creation and Operation of The Meadows at Chandler Creek Municipal Utility District ("Agreement") dated May 10, 1984 whereby the City consented to the creation of the District, and

WHEREAS, the Agreement provides that the City must approve any changes to Land Use Designations within the District, and

WHEREAS, Quail Creek Cottages, Ltd., the owner of property within the District has submitted a proposed amended Land Use Plan to the City for its review and approval, and

WHEREAS, the City's Planning and Zoning Commission has reviewed the Land Use Plan and has recommended its approval, and

WHEREAS, the City and Quail Creek Cottages, Ltd. desire to enter into an Agreement and Development Plan for a 2.168 acre tract, in the Meadows of Chandler Creek Municipal Utility District, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement and Development Plan for a 2.168 acre tract, in the Meadows of Chandler Creek Municipal Utility District, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

MOTION: Councilmember Clifford moved to approve the resolution with the addition of the prohibited uses listed above. Councilmember Rhode seconded the motion.

VOTE:

Ayes:

Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

Councilmember Salinas

Councilmember Rhode

Councilmember Williamson

Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

14.C.2. Consider a resolution amending the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 9.375 acres of land to a designation of Drainage, Local Commercial (with conditions), Office, Senior Residential or Funeral Home (with conditions).

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Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock, ("City") has previously entered into an Agreement Concerning Creation and Operation of The Meadows at Chandler Creek Municipal Utility District ("Agreement") dated May 10, 1984 whereby the City consented to the creation of the District, and

WHEREAS, the Agreement provides that the City must approve any changes to Land Use Designations within the District, and

WHEREAS, Chandler Creek Investments, Ltd., the owner of property within the District has submitted a proposed amended Land Use Plan to the City for its review and approval, and

WHEREAS, the City's Planning and Zoning Commission has reviewed the Land Use Plan and has recommended its approval, and

WHEREAS, the City and Chandler Creek Investments, Ltd. desire to enter into an Agreement and Development Plan for a 9.375 acre tract, in the Meadows of Chandler Creek Municipal Utility District, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement and Development Plan for a 9.375 acre tract, in the Meadows of Chandler Creek Municipal Utility District, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

MOTION: Councilmember Salinas moved to approve the resolution. Councilmember Williamson seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None

ACTION: The motion carried unanimously.

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14.C.3. Consider a resolution amending the Land Use Plan for the Meadows of Chandler Creek Municipal Utility District for 3.184 acres of land to a designation of Day Care (with conditions), Local Commercial (with conditions), or Office. Jim Stendebach, Planning Director made the staff presentation for this item during the public hearing held earlier in the meeting.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock, ("City") has previously entered into an Agreement Concerning Creation and Operation of The Meadows at Chandler Creek Municipal Utility District ("Agreement") dated May 10, 1984 whereby the City consented to the creation of the District, and

WHEREAS, the Agreement provides that the City must approve any changes to Land Use Designations within the District, and

WHEREAS, Chandler Creek Investments, Ltd., the owner of property within the District has submitted a proposed amended Land Use Plan to the City for its review and approval, and

WHEREAS, the City's Planning and Zoning Commission has reviewed the Land Use Plan and has recommended its approval, and

WHEREAS, the City and Chandler Creek Investments, Ltd. desire to enter into an Agreement and Development Plan for a 3.184 acre tract, in the Meadows of Chandler Creek Municipal Utility District, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement and Development Plan for a 3.184 acre tract, in the Meadows of Chandler Creek Municipal Utility District, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None

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ACTION: The motion carried unanimously.

14.D.1. Consider a resolution determining that Royce Construction Company offers the best value for the City for the construction of Fire Station #2 at 200 West Bagdad Avenue, and authorizing the Mayor to execute a Standard Form of Agreement Between Owner and Contractor Where the Basis of Payment is a Stipulated Sum, and a Post-Proposal Negotiated Amendment with Royce Construction Company. Tom Word, Chief of Public Works Operations made the staff presentation. The City accepted Competitive Sealed Proposals on February 14, 2006. The City received five proposals and a review committee consisting of Architect, Construction Manager, Project Manager, and Fire Department Logistic Officer reviewed and graded the proposals. Royce Construction submitted the proposal that is the "Best Value" for the City. The Project Construction Cost was more than available funds. The Architect and Contractor provided a list of items to be valued engineered and a cost was determined for these items to bring the project within available funds.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously determined in Resolution No. R-04-03-25-14G2 that "Competitive Sealed Proposal" is the delivery method which provides the best value for the City for construction of Fire Station #2 at 200 West Bagdad Avenue, and

WHEREAS, after advertising for and receiving proposals from offerors, the City of Round Rock determines that Royce Construction Company is the offeror which offers the best value for the City, and

WHEREAS, Texas Local Government Code §271.116(f) allows the City and its architect to "discuss with the selected offeror options for a scope or time modification and any price change associated with the modification", and

WHEREAS, such post-proposal negotiations were held and did result in certain changes to scope and price changes associated with such modifications, and

WHEREAS, the City Council now wishes to enter into a "Standard Form of Agreement Between Owner and Contractor Where the Basis of Payment is a Stipulated Sum" with Royce Construction Company, and wishes to enter into a "Post-Proposal Negotiated Amendment" with Royce Construction Company outlining the above-referenced changes and modifications, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That, after advertising for and receiving proposals from offerors, the City of Round Rock hereby finds that Royce Construction Company is the offeror which offers the best value for the City.

BE IT FURTHER RESOLVED

That the Mayor is hereby authorized and directed to execute on behalf of the City a "Standard Form of Agreement Between Owner and Contractor Where the Basis of Payment is a Stipulated Sum" with Royce Construction Company and a "Post-Proposal Negotiated Amendment" with Royce Construction Company for construction of the Fire Station #2 at 200 West Bagdad

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Avenue, copies of same being attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

MOTION: Councilmember Clifford moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None

ACTION: The motion carried unanimously.

*14.D.2. Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 1 to the Contract for Engineering Services with Baker-Aicklen & Associates, Inc. for the Red Bud Lane Sidewalk Improvements Project, Phase I. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a Contract for Engineering Services ("Contract") with Baker-Aicklen & Associates, Inc. for the Red Bud Lane Sidewalk Improvements Project, Phase I, and

WHEREAS, Baker-Aicklen & Associates, Inc. has submitted Supplemental Contract No. 1 to the Contract for Engineering Services for a change in the scope of services, and

WHEREAS, the City Council desires to enter into said Supplemental Contract No. 1 with Baker-Aicklen & Associates, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Contract No. 1 to the Contract for Engineering Services with Baker-Aicklen & Associates, Inc., a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

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The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

14.E.1. Consider a resolution authorizing the Mayor to execute a Tree Mitigation

Agreement with IKEA for the planting of 600 trees in Old Settlers Park to meet the mitigation

requirements of the tree ordinance. Emsud Horozovic, Forestry Manager made the staff

presentation. This Tree mitigation agreement is part of the new Tree Ordinance provision to allow for tree mitigation by planting trees on public property. This is the first agreement since the adoption of the Tree Ordinance. Due to its value and size, 600 trees will be planted in Old Settlers Park at Palm Valley; staff felt it was necessary for Council to approve this agreement. This agreement will fulfill the mitigation requirements.

RESOLUTION NO. _____

WHEREAS, pursuant to Section 3.1100, Tree Protection and Preservation, City of Round Rock Code of Ordinances, IKEA is deficient approximately 600 trees at its University Boulevard location per the site development permit, requiring that IKEA either pay funds into the City's Tree Fund or plant trees elsewhere in the City, and

WHEREAS, IKEA desires to enter into a Tree Mitigation Agreement Plan with the City for the mitigation of deficient trees, and

WHEREAS, the City has identified Old Settlers Park at Palm Valley as a location able to receive the quantity of trees needed to fulfill the mitigation requirements, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Tree Mitigation Agreement Plan with IKEA, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Salinas seconded the motion.

VOTE: Ayes: Councilmember Honeycutt

Mayor Pro-tem McGraw

Councilmember Clifford

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Councilmember Salinas

Councilmember Rhode

Councilmember Williamson

Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

14.E.2. Consider a resolution determining that "design-build contract" is the delivery method, which provides the best value for the City for the construction of a skate park to be located at Clay Madsen Park as part of the Greater Lake Creek Park Project. James Hemenes, Park Planner made the staff presentation. A skate park is one of the major components of the Greater Lake Creek Park Improvement Project. Staff determined that with the limited budget and the highly specialized nature of this improvement that Design-Build project would provide the "best value". An entity must determine this "best value" prior to using an Alternate Delivery Method. The Greater Lake Creek Park Project involves three existing park properties and several parcels of land that the City already has or will acquire through the platting process of new neighborhoods. Clay Madsen Park, Greenlawn Park, and Lake Creek Park will all receive improvements in the form of new development and/or renovations. These three parks will also be connected with a hike & bike trail. Also included in this project will be the City's first skate park, dog park, and inline hockey facility. This project is partially funded by a Texas Parks and Wildlife Dept. (TPWD) Grant and a Grant from the Lower Colorado River Authority (LCRA). In addition to a focus group that was formed to specifically address end-user concerns, the Parks and Recreation department has received several petitions and numerous requests over the past three years for a skate park. Also, several public hearings associated with the Grant applications were held.

RESOLUTION NO. _____

WHEREAS, Texas Local Government Code, Section 271.113(a) allows governmental entities to use certain methods other than competitive bidding in entering into contracts for construction of facilities, and

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WHEREAS, the City of Round Rock is considering using an alternative method other than competitive bidding in entering into a construction contract for the construction of a skate park as part of the Greater Lake Creek Park Project, and

WHEREAS, the statute requires that a project-by-project determination must be made as to which method provides the best value for the governmental entity in relation to a particular project, and

WHEREAS, the Council has determined that this project would be best served by utilizing the "design-build contract" method, and

WHEREAS, Texas Local Government Code, Section 271.114(a) mandates a time requirement that the "governing body of a governmental entity that is considering a construction contract using a method specified by Section 271.113(a) other than competitive bidding must, before advertising, determine which method provides the best value for the governmental entity," and

WHEREAS, the City Council desires to comply with all requirements of the statute, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

In accordance with Texas Local Government Code §271.114(a), the Council has determined that "design-build contract" is the delivery method which provides the best value for the City for the construction of a skate park as part of the Greater Lake Creek Park Project.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember

Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell

Nays:	None
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ACTION: The motion carried unanimously.

14.E.3. Consider a resolution authorizing the Mayor to execute an Agreement for

Personal Services for Project Coordinator for the Games of Texas with Sharon Prete.

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Rick Atkins, Parks and Recreation Director made the staff presentation. This agreement is for consulting services to coordinate efforts between all Williamson County representatives that will be involved in the Games of Texas. The Games of Texas is a regional event hosted by the County, Round Rock and area cities and Municipal Utility Districts. This event is expected to bring an estimated 40,000 people into Williamson County for 7 days spread over multiple weekends. This agreement will be funded from the Hotel Occupancy Tax Fund under the classification: Tourism Marketing. In addition, the Parks and Recreation Department will be seeking sponsorships, which will help offset the cost of the contract.

RESOLUTION NO. _____

WHEREAS, the City wishes to enter into an Agreement for Personal Services for Project Coordinator for the Games of Texas with Sharon Prete, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for Personal Services for Project Coordinator for the Games of Texas with Sharon Prete, a copy of said Agreement being attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Williamson seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Councilmember Williamson
		Mayor Maxwell
	Nays:	None

ACTION: The motion carried unanimously.

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*14.E.4. Consider a resolution authorizing the Mayor to execute an Urban Forestry

Partnership Grant Program Agreement with the Texas Forest Service to continue to fund an arborist position. This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the Texas Forest Service has grant funds available through the Urban Forestry Partnership Grant Program, and

WHEREAS, the City Council wishes to enter into an Urban Forestry Partnership Grant Program Agreement for the available grant funds for the continued funding of an Arborist, and

WHEREAS, said grant requires a 50% match from the City, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Urban Forestry Partnership Grant Program Agreement, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes, and the match required from the City is hereby approved.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

*14.F.1. Consider a resolution authorizing the City Manager to make the necessary grant

application to the U.S. Department of Justice for a Bulletproof Vest Partnership Program Grant.

This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the U.S. Department of Justice, has grant funds available to cities for various law enforcement projects, and

WHEREAS, Bulletproof Vest Partnership Program funds are available to procure replacement bulletproof vests for law enforcement agencies, and

WHEREAS, the City Council wishes to make application for the above-described grant, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City Manager is hereby authorized and directed to make the necessary application for the above-described grant.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

*14.G.1. Consider a resolution authorizing the Mayor to execute Supplemental

Agreements No. 2 with DPC Industries, Inc., Bay Chemical & Supply Company, Ford Bend

Services, Inc., and La Roche Industries for the purchase of water treatment chemicals.

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This item was approved under the consent agenda.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into Agreements for Purchase of water treatment chemicals ("Agreements") with DPC Industries, Inc., Bay Chemical and Supply Company, Fort Bend Services, Inc., and LaRoche Industries, Inc., and

WHEREAS, the City Council desires to enter into said Supplemental Agreements No. 2 to the Agreements to extend the Agreements by renewal, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Agreement No. 2 to the Agreement for Purchase of Chlorine (150 lb. cylinders) with DPC Industries, Inc., a copy of same being attached hereto as Exhibit "A" and incorporated herein, and

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Agreement No. 2 to the Agreement for Purchase of Liquid Aluminum Sulfate with Bay Chemical and Supply Company, a copy of same being attached hereto as Exhibit "B" and incorporated herein, and

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Agreement No. 2 to the Agreement for Purchase of Liquid Cationic Polymer with Bay Chemical and Supply Company, a copy of same being attached hereto as Exhibit "C" and incorporated herein, and

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Agreement No. 2 to the Agreement for Purchase of Belt Press Polymer with Fort Bend Services, Inc, a copy of same being attached hereto as Exhibit "D" and incorporated herein, and

That the Mayor is hereby authorized and directed to execute on behalf of the City Supplemental Agreement No. 2 to the Agreement for Purchase of Anhydrous Ammonia with LaRoche Industries, Inc., a copy of same being attached hereto as Exhibit "E" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2006.

COUNCIL COMMENTS: None

EXECUTIVE SESSIONS:

16.A. Executive Session as authorized by §551.071 Government Code, related to pending or contemplated litigation, to wit: Richard Wallace Pearce and Jesse Ray Bland vs. City of Round Rock et al, Cause No. 97-314-C277, Judicial District Court of Williamson County, Texas.

The Council recessed to the Executive Chamber for the Executive Session. The Executive Session was called to order by Mayor Maxwell at 9:14 p.m. and adjourned this item at 9:24 p.m.

16.B. Executive Session as authorized by §551.072 Government Code, related to the purchase of 0.153 acres owned by Manuel J. and Janell G. Heine for the Red Bud Lane, Phase I

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project. Mayor Maxwell called this Executive Session to order at 9:25 p.m. and adjourned at 9:32 p.m. back to the City Council Chamber to address the next item.

ACTIONS RELATIVE TO EXECUTIVE SESSIONS:

17.A. Consider discussion and/or action related to pending or contemplated litigation, to wit: Richard Wallace Pearce and Jesse Ray Bland vs. City of Round Rock et al, Cause No. 97-314-C277, Judicial District Court of Williamson County, Texas. This item was withdrawn from the agenda

17.B. Consider discussion and/or action related to the purchase of 0.153 acres owned by Manuel J. and Janell G. Heine for the Red Bud Lane, Phase I project.

MOTION: Councilmember Honeycutt moved that the City Attorney be directed to proceed as discussed in Executive Session. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt
		Mayor Pro-tem McGraw
		Councilmember Clifford
		Councilmember Salinas
		Councilmember Rhode
		Mayor Maxwell

Nays: None

ACTION: The motion carried unanimously.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:32 p.m.

Respectfully Submitted,

Christine R. Martinez, City Secretary